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7 IN THE UNITED STATES DISTRICT COURT FOR THE
8 EASTERN DISTRICT OF CALIFORNIA

9 THOMAS FRISCIA,) 1:05-cv-0433 OWW LJO
10 Plaintiff,)
11) STIPULATION AND ORDER
12 v.) TO EXTEND TIME
13)
14 JO ANNE B. BARNHART,)
Commissioner of Social)
Security,)
15 Defendant.)
16 _____

17 The parties, through their respective counsel, stipulate
18 that defendant's time to respond to plaintiff's opening brief be
extended from February 6, 2006 to March 8, 2006.
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This is defendant's first request for an extension of time to respond to plaintiff's opening brief. Defendant needs the additional time to further review the file and prepare a response in this matter.

Respectfully submitted,

Dated: February 6, 2006

/s/ Gina M. Fazio
(as authorized by facsimile)
GINA M. FAZIO
Attorney for Plaintiff

Dated: February 6, 2006

McGREGOR W. SCOTT
United States Attorney

/s/ Kristi C. Kapetan
KRISTI C. KAPETAN
Assistant U.S. Attorney

IT IS SO ORDERED.

Dated: February 7, 2006
b9ed48

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE